

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FRANK NEWSOME,	:	
Plaintiff,	:	
v.	:	Case No. 3:01-cv-281
JERRY ERWIN, <i>et al.</i> ,	:	JUDGE WALTER H. RICE
Defendants.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #29);  
OVERRULING PLAINTIFF'S MOTION TO REOPEN CASE (DOC. #26)  
AND MOTION TO APPOINT COUNSEL (DOC. #27); STRIKING  
PLAINTIFF'S MOTION FOR SETTLEMENT (DOC. #28); CAPTIONED  
CAUSE REMAINS CLOSED

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Based on the reasoning and citations of authority set forth in the United States Magistrate Judge's November 6, 2013, Report and Recommendations (Doc. #29), as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. The Court notes that no objections have been filed within the time allotted.

Plaintiff's Motion to Reopen Case (Doc. #26) and related Motion to Appoint Counsel (Doc. #27) are OVERRULED. Plaintiff's Motion for Settlement (Doc. #28) is STRICKEN from the record, and Plaintiff is cautioned that further repetitive filings may be met with monetary sanctions.

The captioned cause remains closed on the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: November 26, 2013

A handwritten signature in black ink, appearing to read 'Walter H. Rice', is written above a horizontal line.

WALTER H. RICE  
UNITED STATES DISTRICT JUDGE